

MINUTES

MINUTES OF THE REGULAR SESSION OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, AND STATE OF ARIZONA, HELD ON TUESDAY, JANUARY 5, 2016, AT 7:00 PM IN THE BISBEE MUNICIPAL BUILDING, 118 ARIZONA STREET, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR OERTLE AT 7:03PM.

ROLL CALL

COUNCIL

Councilmember Eugene Conners, Ward I
Councilmember Joan Hansen, Ward II
Councilmember Shirley Doughty, Ward III Excused
Mayor Ronald Oertle
Councilmember Anna Cline, Ward III, Mayor Pro Tempore
Councilmember Douglas Dunn, Ward II
Councilmember Serena Sullivan, Ward I

STAFF

Jestin Johnson, City Manager
Ashlee Coronado, City Clerk
Sharon Buono, Finance Director
Marc Burneleit, Fire Chief
Andy Haratyk, Interim Public Works Director

CITY ATTORNEY

Elda Orduno

INVOCATION: Mayor Oertle asked for a moment of silence for the people we have known that have passed away over the past year.

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS AND ANNOUNCEMENTS:

- Mayor Oertle wished the City of Bisbee a Happy Birthday; we were incorporated on January 9, 1902.
- Mayor Oertle handed out extraordinary service awards to; Joy Timbers, Charlene "Snooky" Borowiec and Audrey "Luche" Giacomino for their dedication and service to the City of Bisbee.

CALL TO THE PUBLIC

- Richard Green, Bisbee resident spoke about the petition he was working on for divesting in Wall Street and investing in Main Street.
- Karen Schumacher, Bisbee resident spoke regarding the time limits on call to the public. She gave a timer to Council. Mayor Oertle felt he was very liberal with the time for call to the public.
- McKenzie Musick, Bisbee resident spoke in opposition in forming a fire district. He talked about the double taxation and the increasing of property tax and insurance tax.
- Susan Blackford, Bisbee resident spoke about the firing of the Public Works Director and the Library Director. She asked if everyone knew both sides of the story. She also, asked the City Manager to cut his pay. She spoke about the previous Council wanting the incoming City Manager to be paid around the \$65,000 mark. She questioned if Andy Haratyk and the City Manager had the knowledge of a city engineer and to manage grants.

THE FOLLOWING ITEMS WERE DISCUSSED, CONSIDERED AND/OR DECIDED UPON AT THIS MEETING:

GENERAL BUSINESS:

1. ACCOUNTS PAYABLE: Subject to availability of funds.

MOTION: Councilmember Cline moved to approve Accounts Payable in the amount of \$341,399.74.

SECOND: Councilmember Conners

MOTION PASSED: UNANIMOUSLY

2. Approval of the Consent Agenda

- A. Approval of the Minutes of the Regular Session of Mayor and Council held on November 17, 2015 at 7:00PM.

Ashlee Coronado, City Clerk

- B. Approval of the Minutes of the Regular Session of Mayor and Council held on December 1, 2015 at 7:00PM.

Ashlee Coronado, City Clerk

- C. Approval of the Minutes of the Regular Session of Mayor and Council held on December 15, 2015 at 7:00PM.

Ashlee Coronado, City Clerk

- D. Approval of the Resignation of Faye Hoese from the Library Advisory Board.

Ashlee Coronado, City Clerk

- E. Approval of the Re-Appointment of Charles Perry and Richard Soto to the Airport Advisory Committee.

Ashlee Coronado, City Clerk

- F. Approval of the Re-Appointment of Charlene "Snoody" Borowiec and Audrey Giacomino to the Evergreen Cemetery Committee.

Ashlee Coronado, City Clerk

- G. Approval of the Re-Appointment of Jennifer Johnson, Karen Justice and Cinda Combs to the Library Advisory Board.

Ashlee Coronado, City Clerk

- H. Approval of the Re-Appointment of Jennifer Graeme and Kenneth Wallace to the Civil Service Commission.

Ashlee Coronado, City Clerk

- I. Approval of the Re-Appointment of Kay Lynn Cummins, Lawrence Cummins and Audrey Giacomino to the Parks and Recreation Committee.

Ashlee Coronado, City Clerk

- J. Approval of the Re-Appointment of Carrie Gustavson to the iBisbee Committee.

Ashlee Coronado, City Clerk

- K. Approval of the Re-Appointment of Stanley Stern to the Municipal Property Commission.

Ashlee Coronado, City Clerk

- L. Approval of the Re-Appointment William Bagby to the Public Safety Personnel Retirement Board.

Ashlee Coronado, City Clerk

- M. Approval of the Re-Appointment of Judy Anderson to the Planning and Zoning Commission.

Ashlee Coronado, City Clerk

MOTION: Councilmember Cline moved to approve the Consent Agenda items 2A-2M.

SECOND: Councilmember Sullivan

ROLL CALL VOTE:

AYES: Councilmember Connors, Hansen, Cline, Dunn, Sullivan and Mayor Oertle

NAYS: 0

MOTION PASSED: AYES-5; NAYS-0

OLD BUSINESS

NEW BUSINESS

3. Discussion and Possible Approval of a Formal Letter to Freeport McMoRan, Inc. regarding a possible Land Donation.

Ronald Oertle, Mayor

Mayor Oertle said that Freeport McMoRan requested a formal letter from the City of Bisbee regarding the possibility of a land donation to the City of Bisbee for the construction of housing units for the low income elderly.

Stanley Stern, Chairperson for the iBisbee Committee, spoke regarding the meeting with Michael Traylor from the Housing Authority. He also spoke about the plans that would include the park that will be built and the timeline regarding this project.

Councilmember Sullivan asked if the park being built would be owned and ran by the Foundation for Senior Living or would that be a separate development. Mr. Stern said that it would be owned by the City as part of the agreement the Foundation would provide maintenance for the park for a ten (10) year period. Councilmember Sullivan also asked about those chosen to receive the units would there be a special preference for people that have been living in Bisbee. Mr. Stern gave some statics, but said that there objective was to have senior living accommodations for the City of Bisbee.

Councilmember Cline thanked Mr. Stern and Mayor Oertle for all their hard work on this. She felt this was a great thing and very needed and the park was just the icing on the cake.

Councilmember Hansen also thanked Mr. Stern and Mayor Oertle. She said that this was very exciting to be one step further and to know that this was going to happen.

Mayor Oertle said that one person had been left out; Fred Miller had also been involved in this. He explained were the park might be and the building. He read the formal letter that was attached to the agenda item.

MOTION: Councilmember Dunn moved the approval of the Mayor's signature on this formal letter that Freeport McMoRan regarding possible land donation.

SECOND: Councilmember Hansen

MOTION PASSED: UNANIMOUSLY

4. Discussion and Possible Approval of a Contract with Emergency Vehicle Group, Inc. for the Purchase of an Ambulance.

March Burneleit, Fire Chief

Marc Burneleit, Fire Chief said they were asking for approval of the purchase of a new ambulance. He explained that the City of Bisbee was awarded a FEMA grant for this year and that \$140,000.00 of that grant was earmarked for an ambulance. They received four (4) bids and that EVG (Emergency Vehicle Group, Inc.) came in at the closets price to the bid price. The total cost would be \$139,171.37. There are some stipulations that the vehicle needs to be in service, registered and running calls no later than August 5th of this year that eliminated some of the other bids.

Audrey "Luche" Giacomino said we are in need of this ambulance. She thanked the Fire Department for seeking out the grant.

Mayor Oertle stated that the grant was for about \$350,000.00 so the other part would be going to a new fire truck.

Councilmember Cline said that the Fire Department works extremely hard every day all day and they are still out there looking for grants. She was so thankful that we were chosen this year and that we were able to get an ambulance and fire truck.

MOTION: Councilmember Hansen moved to approve the Contract with Emergency Vehicle Group Inc. for the purchase of an ambulance.

SECOND: Councilmember Connors

MOTION PASSED: UNANIMOUSLY

5. Discussion and Possible Direction to Staff regarding preparing a Report describing the specific Circumstances that would force and Arizona Charter City into Bankruptcy and/or Dissolution as an Incorporated Municipality as Requested by Petitioner Eric Fahrner.

Ronald Oertle, Mayor

Mayor Oertle stated that Mr. Fahrner had turned in two (2) petitions and the second petition requesting a Work Session regarding a financial discussion was held on December the 8th. He stated that Mr. Fahrner's petition regarding what would happen if an Arizona Charter City would be forced into Bankruptcy and/or dissolution as an incorporated municipality. He said that the City was not in bankruptcy we are paying our bills, money was still rolling in. It was referred over the City Attorney's office, but it was not urgent because we are not anywhere near bankruptcy and that our economic situation did need to be addressed. Mayor Oertle referred over to the City Attorney Ms. Elda Orduno.

Ms. Orduno stated that the City Attorney's office looked into this and explained what would qualify for a City to file bankruptcy and the requirements. She said that the City was paying their bills there was no suggestions that the City won't continue to pay their bills. So at this point the City Attorney's office felt that they didn't need to take it any further than that.

Mayor Oertle said that the petition would be filed.

6. Discussion and Possible Approval Directing the City Manager to look at Fire District as to Feasibility of Implementation.

Joan Hansen, Councilmember Ward II
Douglas Dunn, Councilmember Ward II

Councilmember Hansen said that she knew this was a very hot topic. She said that her purpose was to find out the facts.

Councilmember Dunn modified the motion; I move to direct the City Manager to look at a fire district and explore other funding alternatives for fire and related services as to feasibility of implementation. Councilmember Connors second the motion.

Audrey "Luche" Giacomino, Bisbee resident said that it was important to have a good fire department. She spoke about the increase to property taxes. Properties would increase by 5%. Right now they are assessed at 10% of the value. It would change to 15% of the assessed value. She also spoke about the historic district increasing by 2.5%. She said that a fire district to her was ridiculous in this town because this fire department and there ambulance service has brought in over a million dollars a year and to just dismiss that it was horrendous to her.

Ken Budge, Bisbee resident shared some of his experiences and gave handouts with information to the clerk regarding a Fire District, Budget and the Public Safety Personnel Retirement System. He discussed all of his findings in detail.

Ms. Buono, Finance Director pointed out that property tax funds all public safety not just fire.

Mr. Budge continued discussing his findings. He felt that we had a debt problem not a Fire Department problem or a service problem. If somehow we could start paying down the debt which will take real money to do that and it will take some time. He explained his idea to help the situation of paying down the debt.

Councilmember Sullivan asked about the special taxing district for the public service improvement. Mr. Budge said there was a long list of different kinds of special taxing districts. Councilmember Sullivan asked if that was something we could do temporarily until the debt was paid off. Mr. Budge said sure if you could use this district to improve and enhance services you could disband it once the debt was paid it could go away. He said that it would need to be laid out so that people are clear about it.

Mayor Oertle wanted to clarify for the public that a Fire Board would be completely autonomous from the City, completely separated. Mayor Oertle said that we are doing the inter-facility transfers from Douglas right now and asked the City Manager if that was correct. Mr. Johnson said that if there was a transfer coming from Douglas that particular transfer comes up to Copper Queen Hospital and we take the transfer from there. Mayor Oertle said that we have to look at this on the business side that it was a revenue enhancer

Councilmember Hansen commented that as soon as Copper Queen Hospital opens there emergency room/urgent care that the inter-facilities would stop.

Councilmember Cline said that she didn't believe that would stop. The emergency room would be a standalone emergency room. She said that we have so many transfers right now from the hospital that we would still have transfers from a standalone emergency room. Councilmember Hansen said that we would not have the numbers that we have right now.

Councilmember Hansen said that she appreciated all the information Mr. Budge had given. She said that the whole purpose of this being on the agenda was not to debate whether or not it was a good idea it was to find out the facts, to get what it would take and it maybe that there are too many hurdles, but that was what she would like to know. She would like the City Manager to take a look at the entire situation and taking into account alternatives.

Councilmember Cline thanked Mr. Budge for the information that he has brought forward. She said that how this came up on the agenda was really kind of vague and that this discussion had been done before. She also said that Police and Fire need to know that they are supported by the City and the Council.

Councilmember Hansen said that she does support them and she was looking at all alternatives. She said all she was asking for was a study of what would it take.

Joni Giacomino, Bisbee resident stated that she already paid a whole lot in property taxes. She asked what would happen to the elderly people on fixed incomes. She felt we had one of the best Fire Departments in the state.

Susan Blackford, Bisbee resident thanked Councilmember Hansen for wanting to get the facts. She spoke regarding the dangers of a fire district. She listed her concerns. Felt it would be a violation of the City Code by going into a fire district. She also spoke about home owners insurance and property value rates. She felt that the City of Bisbee would lose control. She went over some of the rules of a fire district.

Councilmember Dunn reiterated the motion that he had made earlier. He spoke regarding the earlier session regarding looking for funding alternatives where he presented three (3) pages of ideas. He still felt that a Fire District would be extremely challenging if at all possible. He said that what could be done in a creative manner to look at all options, what would be possible in terms of utilizing a fire district to finance our existing Fire Department. He said that our current budget was unsustainable and public safety needs to know that this Council was working diligently to show them that they are supported by ensuring that this department was sustainable over the long term. We need to look at all the options.

Councilmember Sullivan suggested an amendment to the motion. She would like to have a panel of people looking at this not just the City Manager. Councilmember Dunn stated that was what City Managers do.

Councilmember Cline thought that the City Manager had probably taken note of what is being requested and he does have information. He will be working with the Fire Chief very closely and those that are in the know.

Councilmember Hansen wanted to thank Councilmember Dunn for being so eloquent on the subject. She stated that was the whole thing in getting the facts so that we could make an intelligent decision.

Councilmember Connors stated that the people wanting the City Manager to look into the feasibility and try to get to the facts. He felt that they were being distracted by words like destroy, true facts, correct facts, you are not from here, you don't support us, we have tried it and said that these are different times the economy was different, the population was different everything was different except for the people that are afraid that things are going to change and things are going to change. We will have fire personnel to put out fires. The City Manager was asking for direction and we are trying to give him direction. He said that they do support the fire and the police.

MOTION: Councilmember Dunn moved to direct the City Manager to look at a Fire District and explore other funding alternatives for Fire and related services as to feasibility of implementation.

SECOND: Councilmember Conners

ROLL CALL VOTE:

AYES: Councilmember Conners, Hansen, Dunn, Sullivan.

NAYS: Councilmember Cline and Mayor Oertle.

MOTION PASSED: AYES-4; NAYS-2

7. City Manager's Report:

- Other current events
- Mr. Johnson spoke regarding a \$20,000 donation to the Copper Queen Library coming from the estate of Charles Angus.
- Mr. Johnson said that there had been an increase in Building Permits issued in 2015.
- Mr. Johnson stated that the Cochise Animal Hospital donated some refurbished cat cages to the City of Bisbee by way of the Friends of Bisbee Animal Shelter.
- Mr. Johnson said that the Visitor Center for the Calendar year 2015 the Queen Mine served 38,498 visitors.
- Mr. Johnson said that we may be able to pull employees off of Furlough.
- Mr. Johnson spoke regarding Eric Vega in Sanitation who had reached his first milestone he completed his 6months probationary period with the City. He also spoke regarding having the public works department evaluating all the street signs in the City.

COUNCIL COMMENTS OR FUTURE AGENDA ITEM SUGGESTIONS: (Council members may suggest topics for future meeting agendas, but Council will not here discuss, deliberate or take any action on these topics.):

MOTION: Councilmember Conners moved to adjourn the meeting.

SECOND: Councilmember Cline

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 8:55PM

Ronald Oertle, Mayor